

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-1761**

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K. MORGAN KENYON,

Plaintiff - Appellant,

versus

AMHERST COUNTY JAIL, Amherst, Virginia; LORETTA WRIGHT, Sergeant, Amherst County Jail, 1996, individually and in her official capacity; MARVIN HENLEY, Deputy, Amherst County Jail, 1996, individually and in his official capacity; JOHN DOE, Deputy, Amherst County Jail, 1996, individually and in his official capacity; BETSY PITSENBARGER, RN, Amherst County Jail, 1996, individually and in her official capacity; AMHERST COUNTY SHERIFF'S DEPARTMENT, Amherst, Virginia; JAMES T. AYERS, Sheriff of Amherst County, in his official capacity; AMHERST FAMILY PRACTICE, Amherst, Virginia; WILLIAM D. BROWN, President, Amherst Family Practice, in his official capacity; RENEE WILSON, FNP, individually and in her official capacity as Amherst Family Practice nurse-practitioner; AUGUSTINE W. FAGAN, individually and in his official capacity as Executive Director of CVCS Board, 1996; JOAN LAWRIE, individually and in her official capacity as CVCS Board Chairman, and Campbell County Citizen Representative, 1996; TERRIE CONRAD, individually and in her official capacity as CVCS Board Vice-Chair, Appomattox County Citizen Representative; SAM MELA, individually and in his official capacity as CVCS Board City of Lynchburg Citizen Representative, 1996; CYNTHIA MOON, individually and in her official capacity as CVCS Board Lynchburg City Citizen Representative, 1996; NAOMI SPINNER, individually, and in her official capacity as CVCS Board Secretary, Con-

sumer Advocate Council, 1996; LEON PARRISH, individually and in official capacity as CVCS Board Treasurer, Amherst County Representative, 1996; JAMES BEGLEY, individually and in his official capacity as CVCS Board City of Bedford Representative, 1996; LISA HUTCHINS, individually and in her official capacity as CVCS Board Lynchburg Area Mental Health Association representative, 1996; LEIGHTON LANGFORD, individually and in his official capacity as CVCS Board Bedford County Citizen Representative, 1996; JIMMY MAYS, individually and in his official capacity as CVCS Board Campbell County elected Representative, 1996; RUSSELL MOORE, individually and in his official capacity as CVCS Board Appomattox County elected Representative, 1996; SHIRLEY MOORE, (deceased) individually and in her official capacity as CVCS Board Lynchburg ARC Representative, 1996; WAYNE NEWCOMB, individually and in his official capacity as CVCS Board elected Bedford County Representative, 1996; CHAD VALENTINE, individually and in his official capacity as CVCS Board Amherst County Citizen Representative, 1996; D. L. WARREN, individually and in his official capacity as CVCS Board City of Lynchburg Elected Representative, 1996; NANNIE RUSSELL, individually and in her official capacity as CVCS Board Representative, 1996; LYNCHBURG GENERAL HOSPITAL; GEORGE W. DAWSON, President and CEO of Centra Health, Inc., individually and in his official capacity and tortfeasor, and in his official capacity as a member of Centra's Executive Committee, individually and in his official capacity as a member of Centra's Board of Directors; L. DARRELL POWERS, President of Lynchburg General Hospital, 1996, in his official capacity; LARRY BOWEN, RN, individually and in his official capacity and co-conspirator who signed the illegal medical transfer; MIRANA BREITT, Ph.D., individually and in her official capacity as Director of Centra's Mental Health Department as tortfeasor; ROBERT WEIMAR, CMH, individually and in his official capacity as an unlicensed mental health counselor employed by CENTRA's Lynchburg General Hospital, 1996, as tort-

feasor; CARLETON JOHNSON, Ph.D., individually and in his official capacity as a Centra psychologist, 1996, as tortfeasor; WALTER B. BEVERLY, MD, individually and in his official capacity as President of the Medical Staff, as tortfeasor, and in his official capacity as Lynchburg Emergency Physicians employee, in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; MICHAEL VOTH, MD, individually and in his official capacity as ER physician contracted with CENTRA, 1996, as tortfeasor, and in his official capacity as Lynchburg Emergency Physicians' employee; CURT WHITLOCK, individually and in his official capacity as Centra's Risk Manager, as tortfeasor; WILLIAM A. BURKE, individually and in his official capacity as a member of Centra's Board of Directors, in 1998; JAMES K. CANDLER, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee of the Board; SAMUEL P. CARDWELL, individually and in his official capacity as a member of Centra's Board of Directors; JAMES A. CONNER, individually and in his official capacity as a member of Centra's Board of Directors; J. ROBERT DAVENPORT, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; ROBERT VINCENT DOLAN, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; ROBERT I. ELLIOT, MD, individually and in his official capacity as a member of Centra's Board of Directors; RODGER P. FAUBER, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; SAMUEL P. FULLER, MD, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; STANLEY GOLDSMITH, indi-

vidually and in his official capacity as a member of Centra's Board of Directors; FAY C. HILL, individually and in her official capacity as a member of Centra's Board of Directors, and in her official capacity as a member of Centra's Executive Committee; JAY E. HOPKINS, MD, individually and in his official capacity as member of Centra's Board of Directors; ROBERT S. LOCKRIDGE, JR., individually and in his official capacity as Centra Board of Directors member, and in his official capacity as a member of Centra's Executive Committee; JO PENLEY, individually and in her official capacity as member of Centra's Board of Directors; AUGUSTUS A. PETTICOLAS, JR., DDS, individually and in his capacity as a member of Centra's Board of Directors; JERRY T. PRICE, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a Director of Lynchburg Emergency Physicians; HAYWOOD ROBINSON, JR., Reverend, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; MARC A. SCHEWEL, individually and in his official capacity as a member of Centra's Board of Directors; IRMA W. SEIFERTH, individually and in her official capacity as a member of Centra's Board of Directors; RICHARD F. STOWERS, JR., MD, individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; WALKER P. SYDNOR, JR., individually and in his official capacity as a member of Centra's Board of Directors, and in his official capacity as a member of Centra's Executive Committee; JEFFREY W. WILSON, MD, individually and in his official capacity as a member of Centra's Board of Directors; CONSUELIA K. WOODS, individually and in her official capacity as a member of Centra's Board of Directors; DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD (DMHMRSAS); RICHARD KELLY, Commissioner of DMHMRSAS, 1996, individually and in his official capacity; RICHARD KELLOGG,

Assistant to DMHMRSAS, 1996, individually and in his official capacity; JAMES G. LUMPKIN, individually and in his official capacity as current DMHMRSAS Board Member; VIRGINIA DIFFLEMYER, individually and in her official capacity as current Vice-Chair of DMHMRSAS; MICHAEL FLYNN, individually and in his official capacity as current DMHMRSAS Board member; CHARLES A. GENN, JR., individually and in his official capacity as current DMHMRSAS Board Member; BARBARA B. SMITH, individually and in her official capacity as DMHMRSAS Board Member; RICHARD A. SMITH, MD, individually and in his official capacity as an ER physician contracted with Centra, 1996, as tortfeasor, and in his official capacity as a Lynchburg Emergency Physicians' employee; ALISHA CALL, Deputy, Amherst County Jail, 1996, individually and in her official capacity; TERRY BARRON, MSW, Amherst Counseling Center, 1996, individually and in her official capacity; AMY FRENCH, Program Director, Amherst Counseling Center, 1996, in her official capacity; CHARLES INGALLS, Lieutenant, Amherst County Jail, 1996, individually and in his official capacity; DAVID MAYS, Deputy, Amherst County Jail, 1996, individually and in his official capacity; ARNOLD COFFEY, Deputy, Amherst County Jail, 1996, individually and in his official capacity; DARREN GIVENS, Deputy, Amherst County Jail, 1996, individually and in his official capacity; PAULA OXNER, Deputy, Amherst County Jail, 1996, individually and in her official capacity; W. EDWARD MEEKS, Amherst County Commonwealth Attorney, 1996, individually and in his official capacity; JASPER FLETCHER, Magistrate, individual and official capacity; GEORGE F. ALLEN, Governor of Virginia, 1996, individually and in his official capacity; MARY CAMPBELL, Deputy, Amherst County Jail, 1996, individually and in her official capacity; ANN FAGAN, Director of Health Information, Lynchburg General Hospital, 1996, in her official capacity; SCOTT DEBRUIN, Esq., attorney and officer of the court, 1996, individually and in his official capacity; MARSHALL BROWN, Deputy, Amherst County Jail, 1996, individually and in his

official capacity; LINDA EDWARDS, Director of Mental Health Services, Central Virginia Community Services, in her official capacity; MARTHA M. JALLIN, individually and in her official capacity as current DMHMRSAS Board Member; JOHN-PAUL JONES, MD, individually and in his official capacity as Amherst Family Practice physician, 1996; CENTRA HEALTH INCORPORATED, Lynchburg, Virginia; WILLIAM W. SEMONES, Vice-President of Centra Mental Health Services in 1996, as tortfeasor; CENTRA HEALTH INCORPORATED'S EXECUTIVE COMMITTEE OF THE BOARD; CENTRA HEALTH INCORPORATED'S BOARD OF DIRECTORS; CENTRAL VIRGINIA COMMUNITY SERVICES, Lynchburg, Virginia; LYNCHBURG EMERGENCY PHYSICIANS, INCORPORATED, Lynchburg, Virginia; CENTRAL VIRGINIA COMMUNITY SERVICES BOARD, Lynchburg, Virginia,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Lynchburg. Norman K. Moon, District Judge. (CA-98-85-6)

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Submitted: September 21, 2000                      Decided: September 27, 2000

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Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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K. Morgan Kenyon, Appellant Pro Se. Elizabeth Kay Dillon, GUYNN & DILLON, Roanoke, Virginia; George W. Wooten, Peter Duane Vieth, WOOTEN & HART, P.C., Roanoke, Virginia; Ralph Edwin Burnette, Jr., EDMUNDS & WILLIAMS, P.C., Lynchburg, Virginia; John Thomas Jessee, N. Reid Broughton, FLIPPIN, DENSMORE, MORSE, RUTHERFORD & JESSEE, Roanoke, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

K. Morgan Kenyon appeals the district court's orders dismissing her civil rights action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, although we deny the motion to dismiss as frivolous, we affirm on the reasoning of the district court. See Kenyon v. Amherst County Jail, No. CA-98-85-6 (W.D. Va. May 9 & May 12, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED